

SENATE BILL 2388
By Graves

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 1, relative to the punishment for certain assaults.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-101, is amended by designating subsection (b) as subsection (b)(1) and by adding the following new subsection (b)(2):

(2) In addition to any other punishment that may be imposed for a violation of this section, if the relationship between the defendant and the victim of the assault is such that the victim is a victim as defined in §36-3-601(8), the court shall also impose a fine of two hundred dollars (\$200). Such additional fine shall be paid to the clerk of the court imposing sentence who shall allocate it as follows:

(A) Five percent (5%) shall be retained by the clerk to defray the administrative costs incurred pursuant to this section; and

(B) Ninety-five percent (95%) shall be transferred to the state treasurer who shall credit the same to the general fund. Such amount shall be subject to appropriation by the general assembly for the exclusive purpose of funding family

violence shelters and shelter services. Such appropriation shall be in addition to any amount appropriated pursuant to §67-4-411.

SECTION 2. Tennessee Code Annotated, Section 39-13-102, is amended by designating subsection (d) as subsection (d)(1) and by adding the following new subsection (d)(2):

(2) In addition to any other punishment that may be imposed for a violation of this section, if the relationship between the defendant and the victim of the aggravated assault is such that the victim is a victim as defined in §36-3-601(8), the court shall also impose a fine of two hundred dollars (\$200). Such additional fine shall be paid to the clerk of the court imposing sentence who shall allocate it as follows:

(A) Five percent (5%) shall be retained by the clerk to defray the administrative costs incurred pursuant to this section; and

(B) Ninety-five percent (95%) shall be transferred to the state treasurer who shall credit the same to the general fund. Such amount shall be subject to appropriation by the general assembly for the exclusive purpose of funding family violence shelters and shelter services. Such appropriation shall be in addition to any amount appropriated pursuant to §67-4-411.

SECTION 3. Tennessee Code Annotated, Section 39-13-111, is amended by designating subsection (c) as subsection (c)(1) and by adding the following new subsection (c)(2):

(2) In addition to any other punishment that may be imposed for a violation of this section, the court shall also impose a fine of two hundred dollars (\$200.00). Such additional fine shall be paid to the clerk of the court imposing sentence who shall allocate it as follows:

(A) Five percent (5%) shall be retained by the clerk to defray the administrative costs incurred pursuant to this section; and

(B) Ninety-five percent (95%) shall be transferred to the state treasurer who shall credit the same to the general fund. Such amount shall be subject to appropriation by the general assembly for the exclusive purpose of funding family violence shelters and shelter services. Such appropriation shall be in addition to any amount appropriated pursuant to §67-4-411.

SECTION 4. This act shall take effect on July 1, 2002, the public welfare requiring it.